D06

In re application: Murry et al. Filed: May 15, 2001 Amendment dated 01/02/2003

PAGE 5 OF 6

Serial No.: 09/855,853 Attorney' Docket: PAT013US Reply to Office action of 08/21/2003

## REMARKS/ARGUMENTS

Claims 62 and 65-71 are pending in this application. Claims 48-62 and 64-71 have been rejected. Independent claim 62 and various dependent claims have been amended, and claims 48-61 and 63-64 have been canceled, to more particularly point out and distinctly claim the subject matter of the present invention. Applicant hereby requests further examination and reconsideration of the application in view of the foregoing amendments and these remarks.

The Examiner rejected independent claims 48-61 and 64 under §112(2). As these claims have been canceled, the rejection is moot.

The Examiner rejected 62, 64, 70, and 71 under §102(b) based on Beranaek et al. Claims 65-71 were rejected under §103(a). Dependent claim 63 was objected to but would be allowable if rewritten in independent form.

The rejected independent claims 48-61 have been canceled. Independent apparatus claim 62 has been amended to incorporate the features of objected-to claim 63, and is therefore in condition for allowance, as are variously dependent claims 65-71.

The Assistant Commissioner for Patents is hereby authorized to charge any additional fees or credit any excess payment which may be associated with this communication to our deposit account 50-1705.

In view of the foregoing remarks and amendments, claims 62 and 65-71, as variously amended, are believed to be in condition for allowance. Allowance of the pending claims at an early date is earnestly solicited.

The undersigned may be contacted for any questions.

D07

In re application: Murry et al.

Filed: May 15, 2001

Amendment dated 01/02/2003

PAGE 6 OF 6

Serial No.: 09/855,853 Attorney' Docket: PAT013US Reply to Office action of 08/21/2003

Respectfully submitted,

Date: January 2, 2004

N. Steplan Kinsella, Esq. Registration No. 37,657

APPLIED OPTOELECTRONICS, INC.

13111 Jess Pirtle Boulevard Sugar Land, Texas 77478 Telephone: 281-295-1800

Telephone: 281-295-1808 (direct)

Facsimile: 281-295-1889